

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE  
SAN JOSE AIRPORT HOTEL, LLC dba  
HOLIDAY INN SAN JOSE, MOBEDASHI  
HOTEL GROUP,

CASE NO. 5:13-cv-04634 EJD

(Bankr. N.D. Cal. (San Jose) Case No. 09-  
51045 SLJ)

Debtor.

**ORDER TO SHOW CAUSE**

MOHAMED POONJA,

Plaintiff(s),

v.

SEVAK & SONS, L.P., et. al.,

Defendant(s).

Appellant Chandrakant Shah (“Appellant”) filed a Notice of Appeal from a decision of the Bankruptcy Court on October 7, 2013, and chose to have the action transferred to this court for appellate proceedings. See Docket Item Nos. 1, 2. To date, however, the District Court has not received a copy of the record from the Bankruptcy Court. The court cannot proceed without such record.


Accordingly, the court hereby issues an order to show cause requiring Appellant to investigate the status of the record in this action. Such investigation should include, but is not necessarily limited to, contact with the bankruptcy clerk in charge of forwarding the record from that court to the District Court. Appellant may provide the bankruptcy clerk a copy of this Order to

1 Show Cause and may inform the bankruptcy clerk that the record has not been received.

2 Appellant shall file a brief declaration in response to this Order to Show Cause detailing the  
3 efforts made to secure the record and providing any other pertinent information on or before  
4 **February 10, 2013.** If Appellant does not file a response or otherwise fails to show good cause as  
5 directed, the court will dismiss the action with prejudice pursuant to Federal Rule of Civil Procedure  
6 41(b). No hearing will be held on the order to show cause unless otherwise ordered by the court.

7 **IT IS SO ORDERED.**

8  
9 Dated: January 29, 2014

  
EDWARD J. DAVILA  
United States District Judge

United States District Court  
For the Northern District of California